

Tomas Vetrovsky

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To whom it may be concern

My name is Tomas Vetrovsky and I am the Vice President of Architecture and Engineering at a company called Enterprise Mobile. We are a startup company with about 35 employees as of today and are financially backed by Microsoft Corporation, where I worked from February 2002 till January 2007 in various management roles.

Towards the end of year 2002 when I was the manager of Global Client Hardware In Microsoft, we created an idea for Microsoft IT officially supported services around mobile devices. Together with one of my team members we pitched the idea to the CIO and received an approval for additional headcount and funding. During the interview process in March of 2003 we found Justin Emch, who was at that time working at the support center in Colorado Springs. Justin was the best of the available candidates as far as attitude, positives to start something new and untried and excitement to work with us. I have hired Justin and he relocated to work with my group in Redmond, WA at the Microsoft HQ.

Justin soon became a very valuable and irreplaceable resource. He learned very quickly the requirements and became the backbone of the mobile services in Microsoft IT. After the service manager left to work in another part of Microsoft, I promoted Justin to the service manager role.

Sometime in October of 2004 Justin came to me and asked for a private 1:1 session. During that session he described his situation – that his computers were seized by the police and that he is convicted of distributing some copyright protected materials and software. I asked him if any of the allegations are related to the fact that he is working for the largest software manufacturer in the world and if he used any company resources. He explained that this happened prior to him joining Microsoft. At that moment I told him that since the company is not involved in any way he should just keep me updated on the development.

Since that time I promoted Justin to a higher level service manager as well as I nominated him for the "Best People" award that he received based on the committee decision for his results in the Windows Mobile Beta Programs. His contributions to Microsoft and the Global Client Hardware Group were outstanding and his results were above average. He received higher than average merits and bonuses as well. Justin was always honest, hard working individual who tried to help others as often as he could and many times went overboard to achieve his assignments or even to help others. For example I remember that during one of the updates of the internal system a Justin's colleague had to leave and Justin had stayed all night to finish work that was not even assigned to him just to help and protect the other individual from missing a deadline. In another case Justin could receive an easier and more pleasant assignment but instead he has chosen a different type of the work, stating it would not be fair to the junior person who just started.

I strongly believe Justin has learned the hard way from his mistake and will never repeat it again. He had the best opportunity to use Microsoft's resources to anonymously obtain and distribute the highly sought after products from Microsoft but he has never done so. Many people could not resist the temptation to profit from selling Microsoft's software for their own benefit as you may know from the press but I, as Justin's supervisor never had to deal with any situation where Justin would be involved or even accused of such actions.

On several occasions we invited Justin and his girlfriend April to our house for a dinner with my wife Lucie Vetrovsky and through those and other events such as the charity hockey challenge we started to know each other on personal level as well.

Justin was an active member and supporter of the Ronald McDonald's House hockey challenge, during which corporate teams play for fun and even more importantly to raise money for the Seattle housing that provides shelter and food for families with kids who have cancer or leukemia. Justin and his girlfriend April were always coming to support our team and to help the kids, for whom this might be the last chance to have fun.

After I left Microsoft we kept in touch through more visits and I found out about the upcoming sentencing.

I would like to say that over the past 5 years Justin has proven to me that the crime was a single mistake that he will never repeat again. While I understand the need to punish Justin I believe he is no danger to our society but the exact opposite - a big help and contributor.

Deferred sentencing, where Justin can prove to the system and society what he has proven to me would probably serve best the purpose here. Justin has his whole life in front of him and if there is any way that he can come with a clean record for background checks so he can keep his high tech career and continue to support his girlfriend, it would be best for all sides.

If required I can also see the deferred sentencing combined with some community services, where Justin would have the chance to explain to other people that copyright laws are the same laws that everybody else has to obey and they should not be treated differently.

I would strongly object to Justin going to an actual jail as I see no reason to place him in an environment that could only negatively impact him as a result. I also see no reason to prevent him from working with computers as he is very good at what he does, passionate and can be helpful to others.

Feel free to contact me at the phone number or address above if you have any further questions.

Best regards

Tomas Vetrovsky

Tomas Vetrovsky

(Sing Only In The Presence of Notary)

Signature

Vetrovsky

State of

WASHINGTON

County of

KING

I hereby certify that on this 8th day of October, 2007, person: Tomas Vetrovsky personally appeared before me the signer and subject of the above form, who signed or attested the same in my presence, and presented two forms of ID as proof of his or her identity.

Notary Public

Akiko Oyama

Residing in:

Bellevue, WA

My commission expires:

July 28, 2009

